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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re LENOVO ADWARE LITIGATION	)	Case No. 5:15-md-02624-RMW
	)	
	)	<u>CLASS ACTION</u>
This Document Relates To:	)	
	)	[PROPOSED] ORDER APPOINTING
ALL ACTIONS.	)	INTERIM CO-LEAD COUNSEL
	)	

1 Having reviewed all of the motions to appoint interim lead counsel, and having considered  
2 the requirements of Rule 23(g) and the criteria set forth in the Manual for Complex Litigation, the  
3 Court hereby ORDERS:

4 1. Robbins Geller Rudman & Dowd LLP and Edelson PC are appointed as interim co-  
5 lead counsel for the putative class and any subsequently consolidated or related action to represent  
6 the interests of the putative class.

7 2. Co-lead counsel shall have authority to speak for all plaintiffs and putative class  
8 members in all matters regarding the litigation including, but not limited to, pretrial proceedings,  
9 motion practice, trial, and settlement, and shall make all work assignments in such a manner as to  
10 facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or  
11 unproductive effort. Additionally, co-lead counsel shall have the following responsibilities:

12 (a) to brief and argue motions and file opposing briefs in proceedings initiated by  
13 other parties;

14 (b) to initiate and conduct discovery proceedings, including, but not limited to,  
15 the preparation of discovery materials and discussions or negotiations concerning discovery issues;

16 (c) to direct and coordinate the examination of witnesses in depositions and on  
17 oral interrogatories;

18 (d) to act as spokespersons at Court conferences and hearings;

19 (e) to delegate responsibilities for specific tasks to other counsel in a manner to  
20 assure that pretrial preparation for the plaintiffs is conducted effectively, efficiently, and  
21 economically;

22 (f) to consult with and call meetings of plaintiffs' counsel when they deem it  
23 appropriate;

24 (g) to consult with and employ experts;

25 (h) to negotiate with and enter into agreements with defendants' counsel with  
26 respect to settlement and other matters;

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1 (i) to coordinate this action with any related state or Federal Court proceeding  
2 that involves issues similar to those raised in this consolidated action in order to avoid unnecessary  
3 duplication, expense, and effort;

4 (j) to conduct all pretrial, trial, and post-trial proceedings; and

5 (k) to perform such other duties as they deem necessary, or as may be expressly  
6 authorized by further order of the Court.

7 3. Co-lead counsel shall be responsible for coordinating all activities and appearances on  
8 behalf of the putative class and for disseminating notices and orders of this Court.

9 4. No motion, application or request for discovery shall be served or filed, or other  
10 pretrial proceedings initiated, on behalf of the named plaintiffs, except through co-lead counsel.

11 5. All notices, proposed orders, pleadings, motions, discovery, and memoranda shall be  
12 served upon co-lead counsel by the Court's CM/ECF electronic filing system, electronic mail,  
13 overnight mail service, telecopy, or hand delivery.

14 6. Co-lead counsel for the putative class shall be available and responsible for  
15 communications to and from the Court. Co-lead counsel shall be responsible for the creation and  
16 maintenance of a master service list of all parties and their respective counsel.

17 7. Defendants' counsel may rely upon all agreements made with co-lead counsel.

18 IT IS SO ORDERED.

19 DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE

20  
21 Submitted by:

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